

RONALD PRATER,)
)
Plaintiff,)
)
v.) Case No. 4:11 CV 399 CDP
)
MICHAEL J. ASTRUE,)
)
Defendant.)

This matter is before me on defendant's motion to alter or amend the Memorandum and Order entered on March 22, 2012, awarding plaintiff attorney's fees in the amount of \$1,688.51. Because plaintiff actually sought \$1,668.51 in attorney's fees, the Court will grant the motion and vacate the March 22, 2012 Order. Defendant does not oppose plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$1,668.51. On February 13, 2012, I reversed the decision of the Commissioner and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further consideration. Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees and costs, I find plaintiff¹ is entitled to

¹The fees are payable to plaintiff, not plaintiff's attorney. See Astrue v. Ratliff, 130 S. Ct. 2521, 2524 (2010).

an award in the amount requested.

IT IS HEREBY ORDERED that defendant's motion to alter or amend judgment [#26] is granted, and the Memorandum and Order entered on March 22, 2012 [#25] is vacated.

IT IS FURTHER ORDERED that plaintiff's motion for attorney's fees [#23] is granted, and defendant shall pay plaintiff \$1,668.51 in attorney's fees.

A handwritten signature in cursive script, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 28th day of March, 2012.